

REMARKS

This preliminary amendment is submitted with a request for continued examination. In the Office Action, the Examiner rejects Claims 1-4, 6, 12, and 18 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,744,765 to Yamamoto ("Yamamoto"). Claims 7-11 and 13-17 are rejected under 35 U.S.C. § 103(a) as being obvious over Yamamoto in view of U.S. Pat. No. 4,246,452 to Chandler. In response to the Office Action, Applicant has amended independent Claims 1 and 13 to further patentably distinguish the cited references. In light of the amendments and following arguments, Applicant respectfully submits that the rejections are overcome and all claims are in condition for allowance.

The Rejection of Independent Claim 1 under §102(b) is Overcome

In the Office Action, the Examiner continues to assert that independent Claim 1 is anticipated by Yamamoto. Independent Claim 1 is generally directed to an annular dome switch comprising an upper dome sheet and an underlying substrate. The upper dome sheet extends from the underlying substrate defining a raised cross-sectional shape. The raised cross-sectional shape extends at least substantially along a length of an annular shaped path. The underlying substrate comprises two substantially continuous annular concentric pads. The upper dome sheet is configured to make electrical contact with the connection pads of the underlying substrate when the upper dome sheet is depressed towards the underlying substrate.

The Office Action asserts that that the pads 65a and 65b illustrated in Figure 12 of Yamamoto are annular in that pad 65b is an annular ring and pads 65a, taken collectively, are annular. In this regard, the Office Action asserts that the pads 65a and 65b are annular because they pertain to a ring.

Applicant respectfully submits that the common electrode 65b of Yamamoto is a ring shaped electrode (see column 24, line 25), Yamamoto clearly teaches that there are 48 independent pieces which are electrodes 65a arranged in a circumferential direction (e.g. see column 11, lines 17 to 19) and these are electrically isolated from each other for the switch to work. It is respectfully submitted that each connection electrode 65a is not annular in itself.

Accordingly, Yamamoto, at most, may be construed to suggest only a single annular concentric connection pad.

Although Applicant continues to respectfully disagree with the Examiner's interpretation of the disclosure of Yamamoto, Applicant has amended Claim 1 to recite that the underlying substrate comprises two substantially continuous annular concentric connection pads in order to further patentably distinguish Claim 1 from Yamamoto. Support for this amendment may be found at least at page 5, line 27 and page 8, lines 4-5 of the present application.

In this regard, amended independent Claim 1 recites two substantially continuous annular concentric connection pads. That is, Claim 1 recites a first substantially continuous annular concentric connection pad and a second substantially continuous annular concentric connection pad. In contrast, Yamamoto fails to teach or suggest the feature of two substantially continuous annular concentric connection pads because as previously mentioned, the pad 65a taught by Yamamoto are a plurality (e.g. 48) of independent electrodes. Therefore, the 48 independent electrodes 65a are not substantially continuous annular concentric connection pads, as 48 independent electrodes are quite different from a substantially continuous annular concentric connection pad.

Applicant further submits that it is non obvious for a person of ordinary skill in the art to use a substantially continuous annular concentric pad to replace the 48 independent electrode 65a in Yamamoto because such a modification would frustrate the teachings of Yamamoto. In the embodiments of Yamamoto the stationary contact points must be electrically isolated in order for the device to tell which direction the lever is being tilted. In this regard, replacing the 48 individual independent electrodes 65a with a substantially continuous annular concentric connection pad goes against the object of the invention of Yamamoto at column 2, lines 9 to 11. That is, Yamamoto aims to provide an enhanced resolution for a directionality switch and this cannot be achieved if there are only two substantially continuous annular concentric connection pads. Therefore, Applicant respectfully submits that a skilled person in the art would not modify the arrangement as taught by Yamamoto to frustrate the teaching therein.

Therefore, since Yamamoto neither teaches nor suggests an annular dome switch comprising an underlying substrate that comprises two substantially continuous annular concentric connection pads as recited by independent Claim 1, Applicant respectfully submits

that amended Claim 1 is patentably distinct from Yamamoto and the rejection of Claim 1 is overcome. Moreover, none of the other cited references, taken alone or in combination with Yamamoto, cures the deficiencies of Yamamoto. Therefore, Applicant further respectfully submits that Claim 1 is in condition for allowance.

The Rejection of Independent Claim 13 under §103(a) is Overcome

The Office Action asserts that independent Claim 13 is unpatentable over Yamamoto in view of Chandler. Claim 13 is directed to an input apparatus for a multimedia device comprising a rotator wheel, means for detecting rotational movement of the rotator wheel, and select means. The select means is defined as an annular dome switch including all of the recitations of independent Claim 1 and has been amended similarly to Claim 1 to recite that the underlying substrate comprises two substantially continuous annular concentric connection pads.

As explained above, Yamamoto fails to teach or suggest two substantially continuous annular concentric connection pads. Furthermore, Chandler does not cure the deficiencies of Yamamoto, as Chandler only discloses portions of pads 72, 74, 76, 78, 88, 89, 90, 91, which are not continuous. Indeed, the person with ordinary skill in the art would realize that firstly, these connections cannot be concentric and secondly, they cannot be continuous, as otherwise the relative rotation could not be detected.

Accordingly, for at least these reasons, neither Yamamoto nor Chandler, taken alone or in combination, teaches or suggests amended independent Claim 13. Applicant therefore respectfully submits that the rejection of Claim 13 is overcome and Claim 13 is in condition for allowance.

The Rejection of the Dependent Claims is Overcome

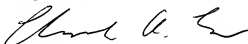
Since each of the dependent claims contain each of the recitations of a respective independent base claim, Applicant respectfully submits that the rejections of the dependent claims are overcome for at least the reasons discussed above and as such the dependent claims are patentably distinct from the cited references, taken alone or in combination, and are in condition for allowance.

CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Charles A. Leyes
Registration No. 61,317

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Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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